



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,079	07/06/2001	Kirstan Anderson Vandersluis	XAW-0102	5848

7590

07/08/2003

Law Offices of Dale B. Halling
Suite 311
24 South Weber St.
Colorado Springs, CO 80903

EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/900,079

Applicant(s)

VANDERSLUIS, KIRSTAN
ANDERSON

Examiner

Cindy Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

This is in response to application filed on 07/06/01 in which claims 1-29 are presented for examination.

1. *Specification*

Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.

- (e) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
 - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."

Art Unit: 2171

- (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (f) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (g) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (i) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet (37 CFR 1.52(b)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the

Art Unit: 2171

international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

- (k) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

The specification retains objected to because no header, "Brief summary of the invention" has been provided. Even though a heading is not required, it nonetheless helps structure the disclosure so as to become easier to read. As such header is necessary to make the disclosure easier to read.

There is no header "Brief Summary of the Invention". Correction is required.

2. *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 3. Claims 1-5, 7-9, 11, 13-18, 20-23 and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Jamtgaard et al. (U.S 6430624) (Jamtgaard).**

Art Unit: 2171

Regarding claim 1, Jamtgaard disclose: A system for converting data in a first hierarchical data scheme into a second hierarchical data scheme (fig. 9 and corresponding text, Jamtgaard), comprising:

a template defining the second hierarchical data scheme (122, fig. 9A and corresponding text, Jamtgaard);

a dynamic data generation module contained in the template (col. 13, lines 20-33, Jamtgaard); and

a data source (content source, col. 13, line 21, Jamtgaard), in communication with the dynamic data generation module (col. 13, lines 20-33, Jamtgaard), containing data in the first hierarchical data scheme (HTML page, col. 13, line 26, Jamtgaard).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Jamtgaard disclose: wherein the template and the dynamic data generation module are contained in a server (12, fig. 4 and corresponding text, Jamtgaard).

Regarding claim 3, all the limitations of this claim have been noted in the rejection of claim 2. In addition, Jamtgaard disclose: further including a driver connected between the dynamic data generation module and the data source (40, fig. 4 and corresponding text, Jamtgaard).

Art Unit: 2171

Regarding claim 4, all the limitations of this claim have been noted in the rejection of claim 3. In addition, Jamtgaard disclose: further including a developer module contained in the server for creating the dynamic data generation module (col. 5, lines 17-25, Jamtgaard).

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Jamtgaard disclose: wherein the template is a static extensible markup language document (122, fig. 9A and corresponding text, Jamtgaard).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Jamtgaard disclose: wherein the template is an extensible markup language schema (122, fig. 9A and corresponding text, Jamtgaard).

Regarding claims 8 and 9, all the limitations of these claims have been noted in the rejection of claim 1 above. In addition, Jamtgaard disclose: wherein the first and the second hierarchical data scheme are selected from the group of: extensible markup language schemes (124, 122, fig. 9A and corresponding text, Jamtgaard) , relational databases (col. 8, line 5, Jamtgaard) , non-relational databases (40, fig. 4 and corresponding text, Jamtgaard), extensible markup language databases (47, fig. 4 and corresponding text, Jamtgaard) and self describing databases (48, fig. 4 and corresponding text, Jamtgaard).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Jamtgaard disclose: wherein the dynamic data generation module includes a

Art Unit: 2171

data mapping between the first hierarchical data scheme and the second hierarchical data scheme (col. 13, lines 5-18, Jamtgaard).

Regarding claim 13, most of the limitations of this claim have been noted in the rejection of claim 1. In addition, Jamtgaard disclose: a) publishing a dynamic template in a server (col. 7, lines 26-30, Jamtgaard);

b) receiving an instruction from a client at the dynamic template (col. 10, lines 58-65, Jamtgaard);

c) executing the dynamic template (col. 13, lines 5-18, Jamtgaard); and

d) when a dynamic data generation module is executed, performing a data transfer operation that converts data in the first hierarchical data scheme into the second hierarchical data scheme (col. 13, lines 5-18, Jamtgaard).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 13. In addition, Jamtgaard disclose: wherein step (a) further includes the steps of:

al) receiving a template (col. 13, line 26, Jamtgaard);

a2) determining for each element of the template if dynamically generated data is required (col. 10, lines 65 to 11, line 3, Jamtgaard);

a3) when the dynamically generated data is required, receiving a data source for obtaining the dynamically generated data (col. 13, lines 20-33, Jamtgaard).

Art Unit: 2171

Regarding claim 15, all the limitations of this claim have been noted in the rejection of claim 13. In addition, Jamtgaard disclose: further including the steps of:

a4) receiving a data mapping between the first hierarchical data scheme and the second hierarchical data scheme (col. 13, line 26, Jamtgaard).

Regarding claim 16, all the limitations of this claim have been noted in the rejection of claim 15. In addition, Jamtgaard disclose: wherein step (a4) further includes the steps of:

i) when the first hierarchical data scheme is a non-extensible markup language and the second hierarchical data scheme is a second non-extensible markup language, creating a first data mapping between the first hierarchical data scheme and an intermediate extensible markup scheme (col. 13, line 26, Jamtgaard);

ii) creating a second data mapping between the intermediate extensible markup scheme and the second hierarchical data scheme (218, 130, fig. 9B and corresponding text, Jamtgaard).

Regarding claim 17, all the limitations of this claim have been noted in the rejection of claim 15. In addition, Jamtgaard disclose: further including the step of" a5) receiving a key associated with the data mapping (col. 11, lines 16 to col. 12, lines 65, Jamtgaard).

Regarding claims 18 and 26, all the limitations of these claims have been noted in the rejection of claims 14 and 15 above. In addition, Jamtgaard disclose: repeating steps (b) through (d) for every element of the static extensible markup language template to form a dynamic data conversion program (fig. 9A and 9B and corresponding text, Jamtgaard).

Art Unit: 2171

Regarding claims 20 and 27, all the limitations of these claims have been noted in the rejection of claims 14 and 15 above, respectively. In addition, Jamtgaard disclose: wherein step (a) further includes the step of:

al) defining an input parameter (col. 2, lines 48059, Jamtgaard).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Jamtgaard disclose: wherein step (c) further includes the step of:

c l) receiving a driver (col. 7, lines 31-47, Jamtgaard).

Regarding claim 22, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Jamtgaard disclose: wherein step (c) further includes the step of:

c l) generating a query to the data source (col. 7, lines 48-52, Jamtgaard).

Regarding claim 23, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Jamtgaard disclose: wherein step (d) further includes the step of:

dl) receiving a screen having a list of elements from the data source and a list of metatags from the static extensible markup language template (fig. 9A and 9B and corresponding text, Jamtgaard).

Regarding claim 25, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Jamtgaard disclose: further including the steps of:

Art Unit: 2171

e) publishing the dynamic data conversion program to a server (col. 7, lines 26-30, Jamtgaard);

f) when a query is received at the server for the dynamic data conversion program, executing the dynamic data conversion program to form an extensible markup language document (col. 13, lines 5-18, Jamtgaard).

4. *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 6, 10, 12, 19, 24, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al. (U.S 6430624) (Jamtgaard) in view of Povilus (U.S 5740425).

Art Unit: 2171

Regarding claim 6, all the limitations of this claim have been noted in the rejection of claim 1 above. However, Jamtgaard didn't disclose: wherein the template is an extensible markup language document type definition. On the other hand, Povilus disclose: wherein the template is an extensible markup language document type definition (col. 25, lines 13-17, Povilus). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include a template is an extensible markup language document type definition in the system of Jamtgaard as taught by Povious. The motivation being to enable the user uses different data types to convert the information between templates, so it can be easily shared between data sources.

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Jamtgaard/Povilus disclose: wherein the dynamic data generation module includes a query directed to the data source (col. 28, lines 47-60, Povilus). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the dynamic data generation module includes a query directed to the data source in the system of Jamtgaard as taught by Povious. The motivation being to enable the user searches information in the database without connecting with other components, therefore reducing the time processing in the system.

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 4 above. In addition, Jamtgaard/Povilus disclose: wherein the developer module contains

Art Unit: 2171

a wizard that walks a user through a process of creating the dynamic data generation module (col. 21, lines 45-67, Povilus). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the developer module contains a wizard that walks a user through a process of creating the dynamic data generation module in the system of Jamtgaard as taught by Povious. The motivation being to guide the user to define the query technique that applies in the process for different data types to convert the information between templates, so it can be easily shared between data sources.

Regarding claim 19, all the limitations of this claim have been noted in the rejection of claim 18 above. In addition, Jamtgaard/Povilus disclose: wherein step (a) further includes the step of receiving a template selected from the group including: an extensible markup language document type definition (col. 25, lines 13-17, Povilus) and an extensible markup language schema (122, fig. 9A and corresponding text, Jamtgaard). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include a template is an extensible markup language document type definition in the system of Jamtgaard as taught by Povious. The motivation being to enable the user uses different data types to convert the information between templates, so it can be easily shared between data sources.

Regarding claim 24, all the limitations of this claim have been noted in the rejection of claim 26 above. In addition, Jamtgaard/Povilus disclose: wherein step (c) further includes the step of: displaying an incomplete version of a dynamic extensible markup language template wherein a static element is shown in a first color and a dynamic element is shown in a second

Art Unit: 2171

color (col. 32, lines 45-67, Povilus). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the steps for displaying an incomplete version of a dynamic extensible markup language template wherein a static element is shown in a first color and a dynamic element is shown in a second color in the system of Jamtgaard as taught by Povilus. The motivation being to enable the users clearly see the different elements in the templates and easily for mapping information when converting the information between templates, so it can be easily shared between data sources.

Regarding claim 28, all the limitations of this claim have been noted in the rejection of claim 26 above. In addition, Jamtgaard/Povilus disclose: wherein step (d) further includes the steps of:

d2) generating; a query (col. 7, lines 48-52, Jamtgaard)

dl) receiving a query type (col. 21, lines 44-57, Povilus). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step for receiving a query type in the system of Jamtgaard as taught by Povilus. The motivation being to enable the user uses the query technique that applies in the process for different data types to convert the information between templates, so it can be easily shared between data sources.

Regarding claim 29, all the limitations of this claim have been noted in the rejection of claim 28. In addition, Jamtgaard/Povilus disclose: wherein step (dl) further includes receiving an insert query type (col. 18, lines 15-22, Jamtgaard).

Art Unit: 2171

6. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

W
Cindy Nguyen
June 27, 2003

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER